

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**TERRANCE GRAHAM**

**PLAINTIFF**

**V.**

**NO. 4:18-CV-111-DMB-DAS**

**CAPTAIN MARY JONES, et al.**

**DEFENDANTS**

**ORDER**

On August 8, 2018, United States Magistrate Judge David A. Sanders filed a Report and Recommendation recommending that Terrance Graham's case be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute and for failure to comply with an order requiring him to return necessary forms. Doc. #5 at 1. No objections to the Report and Recommendation have been filed.<sup>1</sup>

Under 28 U.S.C. § 636(b)(1), "[a] judge of the court shall make a de novo determination of those portions of the report ... to which objection is made." "[W]here there is no objection, the Court need only determine whether the report and recommendation is clearly erroneous or contrary to law." *United States v. Alaniz*, 278 F.Supp.3d 944, 948 (S.D. Tex. 2017) (citing *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989)). The Court has reviewed the Report and Recommendation and finds that it is neither clearly erroneous nor contrary to law. Accordingly, the Report and Recommendation [5] is **ADOPTED** as the opinion of the Court. This case is **DISMISSED without prejudice** for failure to prosecute and failure to comply with a court order.

**SO ORDERED**, this 15th day of January, 2019.

**/s/Debra M. Brown**  
**UNITED STATES DISTRICT JUDGE**

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<sup>1</sup> The Report and Recommendation was sent to Graham at his last known address but was returned as undeliverable on August 14, 2018. See Doc. #6. Because MDOC's website reflects that Graham's location changed on August 28, 2018, Graham presumably has also failed to advise the Court of his change of address.